



Express Mail No. ER517841652US

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Brines *et al.* Confirmation No.: 5119  
Application No.: 09/717,057 Art Unit: 1647  
Filed: November 21, 2000 Examiner: DeBerry, Regina M.  
For: MODULATION OF EXCITABLE TISSUE FUNCTION BY  
PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN Attorney Docket No.: 10165-010-999

**Certificate of Express Mailing Under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope with the above indicated Express Mail No. addressed to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on October 5, 2005.

Frederick J. Hamble  
(Name of Depositor)

[Signature] October 5, 2005  
(Signature and Date)

**AMENDMENT UNDER 37 C.F.R. § 111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action, dated April 5, 2005, and pursuant to the Rules of Practice, please enter the amendments and consider the remarks below. Applicants transmit herewith a) a petition for an extension of time (three months); b) a Supplemental Information Disclosure Statement; c) a List of References Cited by Applicants; d) Copies of references FF, FG, FH, FI, FJ and FK of record; e) Two terminal disclaimers, and f) Credit Card form in the amount of \$1,460.00 (\$1020 for extension of time, \$180 for IDS, and \$260 for two terminal disclaimers) for the fees required for this filing.

**Amendments to the Claims begin at page 2.**

**Remarks begin at page 4**